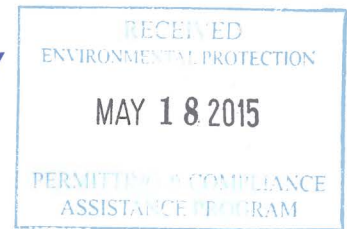




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960



MAY 13 2015

Timothy Bahr
Administrator, Hazardous Waste Program
Florida Department of Environmental Protection
600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJ: RCRA Compliance Evaluation Inspection
Montco Research Products
EPA I.D. Number FLD 061 897 054

Dear Mr. Bahr:

On March 5, 2015, the U.S. Environmental Protection Agency, accompanied by the Florida Department of Environmental Protection (FDEP), conducted a compliance evaluation inspection at the subject facility. This RCRA CEI was an EPA lead inspection.

Enclosed is the EPA RCRA inspection report which indicates that potential violations of RCRA were discovered during the inspection. Pursuant to the current RCRA Enforcement Response Policy, the facility has been determined by the EPA to be a Secondary Violator. If you have any questions, please contact Daryl Himes, of my staff, at himes.daryl@epa.gov or (404) 562-8614.

Sincerely,

Larry L. Lamberth
Chief, Hazardous Waste Enforcement and
Compliance Section
Enforcement and Compliance Branch

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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MAY 13 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Terry Clayton
Vice President
Montco Research Products
209 Janice Drive
Hollister, Florida 32147

SUBJ: RCRA Compliance Evaluation Inspection
Montco Research Products
EPA I.D. Number FLD 061 897 054

Dear Mr. Clayton:

On March 5, 2015, the U.S. Environmental Protection Agency conducted a Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI), along with the Florida Department of Environmental Protection (FDEP), at Montco Research Products, located in Hollister, Florida, in order to determine its compliance status with RCRA.

Enclosed is the CEI report that indicated apparent violations of RCRA were discovered. A copy of this report has been forwarded to the Florida Department of Environmental Regulation.

If you have any questions regarding the inspection, please contact Daryl Himes, of my staff, by phone at (404) 562-8614 or by email at himes.daryl@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Larry L. Lamberth".

Larry L. Lamberth
Chief, Hazardous Waste Enforcement and
Compliance Section
Enforcement and Compliance Branch

Enclosure

cc: Tim Bahr, FDEP
Pam Fellabaum, Northeast District, FDEP

RCRA Compliance Inspection Report

1) Inspector and Author of Report

Daryl R. Himes
Environmental Engineer
US Environmental Protection Agency, Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
(404) 562-8614
email: himes.daryl@epa.gov

2) Facility Information

Montco Research Products (MRP)
209 Janice Drive
Hollister, Florida 32147

EPA ID. Number FLD 061 897 054

3) Responsible Official

Terry Clayton
Vice President

4) Inspection Participants

Daryl R. Himes, U.S. EPA
Pam Fellabaum, Florida Department of Environmental Protection
Terry Clayton, MRP

5) Date of Inspection

March 5, 2015

6) Applicable Regulations

Resource Conservation Recovery Act (RCRA), 42 U.S.C.A. §§ 6901 to 6992k;
Sections 3005 and 3007 of RCRA, 42 U.S.C.A. §§ 6925 and 6927
40 Code of Federal Regulations (C.F.R.) Parts 260-270, 273, and 279

Chapters 403 & 378, F.S., and Chapters 62-710, 62-730, and 62-737 Florida Administrative Code (F.A.C.)

7) Purpose of Inspection

To conduct an unannounced EPA lead inspection and determine the facility's compliance with the applicable RCRA hazardous waste regulations.

8) Facility Description

The facility has been in operation at this location since 1976. Montco is a specialty chemical manufacturer that produces three chemical intermediate products in batch processes. Two of the products, chloromethyl-naphthalene (CMN) and ethylbenzylchloride (EBC) are regularly produced. The third product, alphanaphthaldehyde (ANA) is produced infrequently. The facility consist of an office building, a production building, a vacuum pump area, reactor area, tank farm, a small building, an air scrubber, a drum storage building, and a warehouse. Montco has a groundwater treatment system in place that includes a recovery well, a tank system and a spray irrigation area. The system and the spray field were not inspected as part of this inspection.

Production Building Operations

CMN is produced by adding proprietary raw materials to one of two 3000-gallon glass reactor tanks. The reaction process yields weak hydrochloric acid (HCl) and crude CMN. The crude CMN layer is pumped to a distillation tank where it is further processed. The distilled CMN is sold to customers that use it as an ingredient for making an oil well rust inhibitor. Some CMN is distilled twice for other customers that use it in formulating heart medication. The waste still bottoms become a solid at room temperature. While they are still hot, the still bottoms are transferred to 55-gallon drums for disposal as non-hazardous waste.

The weak HCl is pumped to one of two 12,000-gallon storage tanks located in the tank farm. The weak HCl is regenerated by adding HCl gas to the weak HCl storage tank. The regenerated HCl is then reused in the production process, but sometimes the production process generates more HCl than is needed. The excess HCl is either sold as a product or disposed of as a D002 hazardous waste when a reuse customer is not available.

The production of EBC is similar to the production of CMN. Proprietary raw materials are added to one of five reactor tanks. The reaction process yields a weak zinc chloride layer and crude EBC layer. The weak zinc chloride can be strengthened through distillation and then returned to an EBC reactor process tank. The weak zinc chloride is either regenerated or managed as D002 hazardous waste. Weak HCl is produced in the distillation step. The weak HCl is transferred to one of two 12,000-gallon HCl storage tanks located in the tank farm as described in the preceding paragraph. Excess HCl is either sold as a product or disposed of as D002 hazardous waste. The crude EBC layer is transferred to a separate distillation tank. The final liquid distillate is the EBC product which is sold for use as a disinfectant in a variety of products, such as shampoos and disposable wipes. The waste still bottoms are managed as D001/D018 hazardous waste and stored in totes when they are generated.

Montco notified as a large quantity generator of hazardous waste on October 29, 2014.

9) Findings

Upon arriving at the facility, EPA credentials were presented to Terry Clayton, a facility Vice President. The purpose of the inspection and the facility's operations were then discussed. A walk-through inspection was then performed.

EBC Production Area

Two EBC stills were operating at the time of the inspection. No hazardous wastes were observed in this area. Four 500-gallon plastic totes of used oil were observed in this area. Each of the totes was labeled with the words "Used Oil."

CMN Production Area

No hazardous wastes were observed in this area among the process equipment at the time of the inspection.

Air Scrubber Area

Caustic soda is used by the facility to neutralize acidic vapors captured by the facility's air scrubber system. At the time of the inspection, a liquid having a pH of less than 2 (using pH paper as an indicator) was observed (Photos 1-5) to be leaking onto the concrete support system and within the concrete secondary containment system for the scrubbers.

MRP appeared to be in violation of 40 C.F.R. § 262.34(a)(4) which requires a facility to comply with 40 C.F.R. § 265.31 by maintaining and operating its facility in a way that minimizes the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

A vacuum pump operating near this area was observed to be leaking oil into a secondary containment area at the time of the inspection (Photo 6).

MRP appeared to be in violation of 40 C.F.R. § 279.22(d) by failing to respond to a release of used oil to the environment in accordance with 40 C.F.R. § 279.22(d).

Drum Storage Warehouse

This area contained out of service equipment, raw material containers, and empty drums. At the time of the inspection, an oil spill emanating from an out-of-service vacuum pump was observed (Photo 7).

MRP appeared to be in violation of 40 C.F.R. § 279.22(d) by failing to respond to a release of used oil to the environment in accordance with 40 C.F.R. § 279.22(d).

Drum Storage Building

This area contained in excess of 300 55-gallon containers (Photos 8-12). From what could be observed, as there was insufficient aisle space to look at individual labeling on all of the containers. Labeling on some of the containers indicated the presence of distilled HCl, dirty EBC and waste oil (Photos 13 and 14). Numerous containers around the perimeter of the area were empty. Terry Clayton, the facility representative, indicated that containers of material in this area, other than the used oil, were able to be reclaimed in the facility's manufacturing process. Dates on the containers were not visible, in part due to a lack of aisle space, to determine whether the materials destined for reclamation had exceeded time limits allowed pursuant to speculative accumulation.

MRP appeared to be in violation of 40 C.F.R. § 262.11 by failing to make a hazardous waste determination on the containers in this area. As a response to the report, MRP should provide the EPA with the waste determination for the containers described above.

Also, MRP appeared to be in violation of 40 C.F.R. § 279.22(c) by failing to label each of its containers with the words "Used Oil."

Record Review

The facility's contingency plan, manifests, inspection logs and training records were reviewed. Manifests for shipments on 3/11/14, 3/31/14, 6/17/14, and 1/6/15 were observed to have incorrect waste codes on the manifest form.

MRP appeared to be in violation of 40 C.F.R. § 262.20(a)(1) by failing to prepare hazardous waste manifests, with proper waste codes, in accordance with the instructions on the manifest form.

10) Signed



Daryl R. Hines
Environmental Engineer

5/13/15
Date

11) Concurrence



Larry Lamberth
Chief, Hazardous Waste Enforcement and Compliance Section
Enforcement and Compliance Branch

5/13/15
Date

Photographs



Photo 1 – Air Scrubber Area



Photo 2 – Air Scrubber Area



Photo 3 – Air Scrubber Area



Photo 4 – Air Scrubber Area



Photo 5 – Air Scrubber Area



Photo 6 – Vacuum Pump Area near Scrubber Area



Photo 7 – Oil Spill from vacuum pump in Drum Storage Area



Photo 8 – Drum Storage Building



Photo 9 – Drum Storage Building



Photo 10 – Drum Storage Building



Photo 11 – Drum Storage Building



Photo 12 – Drum Storage Building



Photo 13– Drum Storage Building



Photo 14 – Drum Storage Building

